HON'BLE SRI JUSTICE R. SUBHASH REDDY

WRIT PETITION No.23720 of 2007

Date: December 27, 2007

Between:
Anam Venkata Ramana Reddy. ...
Petitioner

And

1. The Superintendent of Police,
Nellore District, Nellore and 2 others. ...
Respondents

* * *

ORDER:

In this writ petition the petitioner seeks declaration by way of Mandamus to declare the action of the second respondent in not completing the investigation in crime No.194 of 2005, as illegal and arbitrary.

2. The petitioner lodged a complaint dated 24th September 2005 before the second respondent-Police. The gist of the complaint is that some persons have formed into an unlawful assembly on the date of elections to Nellore Municipal Corporation and went on rampage near polling station installed at St. John's High School. Based on the complaint of the petitioner, a case in crime No.194 of 2005 was registered for the offences under Sections 147, 148, 323, 506, 452 and 427 read with 149 IPC.

3. It is the grievance of the petitioner that though such a complaint was registered as early as on 24.9.2005, no final report has been filed as contemplated under Section 173 of Cr.P.C.

4. A counter-affidavit is filed on behalf of respondents stating that after completion of investigation, charge sheet is already filed and the concerned magistrate also taken cognizance of the same in C.C.Nos.1177 and 1178 of 2007 and both the cases are pending trial.

5. As much as final report has already been filed and as the matter is pending trial, no further relief can be granted in this writ petition.

6. The writ petition is accordingly closed. No order as to costs.

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(R. SUBHASH REDDY, J)

Date: December 27, 2007.
BSB